



THE CITY OF SAN DIEGO
MANAGER'S REPORT

DATE ISSUED: August 1, 2001 REPORT NO. 01-166

ATTENTION: Honorable Mayor and City Council
Docket of August 7, 2001

SUBJECT: **Scripps Gateway Freeway Center.** Tentative Map, Planned Commercial Development/Conditional Use Permit (TM/PCD/CUP 99-1341). Process 4

REFERENCE: Manager's Report No. 01-026, dated February 7, 2001,
Planning Report No. P-00-070, dated October 25, 2000,
Planning Report No. P-98-147, dated July 22, 1998,
Municipal Code sections 102.0201, 101.0910, 101.0510 and 101.0515.

OWNER/
APPLICANT: SHEA HOMES LIMITED PARTNERSHIP, LLC, Owner and
SHEA PROPERTIES, Applicant

SUMMARY

Issue(s) - Should the City Council approve the appeal and approve a tentative map and planned commercial development/conditional use permit of a 20.3 acre site to develop two hotels, one gasoline station/car wash/mini mart, two restaurants; one sit down restaurant and one drive-through restaurant, retail space, 480 surface parking spaces including a 120 space park and ride lot on the north side of Scripps Poway Parkway immediately east of Interstate 15?

Manager's Recommendations -

1. CERTIFY the Addendum to EIR 92-0466 and ADOPT the Mitigation Monitoring and Reporting Program; and

2. APPROVE the Tentative Map, Planned Commercial Development/Conditional Use Permit No. 99-1341.

City Council Action - On February 13, 2001, the City Council denied the appeal of the applicant upholding the Planning Commission decision of December 7, 2000. On July 17, 2001, the City Council authorized entering into a settlement agreement. As part of that agreement the applicant can seek reconsideration of their modified project. On July 24, 2001, the City Council will vote on whether to waive the permanent rules, and if so moved, on whether to reconsider the appeal filed by Schulman, Hecht, Solberg, Robinson & Goldberg LLP, Attorneys for the Applicant Shea Homes Limited Partnership, LLC, and Shea Properties.

Planning Commission Recommendation - On December 7, 2000, the Planning Commission voted, 7:0:0, to not certify Addendum to EIR 92-0466, to not adopt Mitigation Monitoring and Reporting Program; and deny the Tentative Map, Planned Commercial Development/Conditional Use Permit No. 99-1341.

Community Planning Group Recommendation - The Miramar Ranch North Community Planning Group (MRNPG), voted to support the project on March 20, 2000, if specific issues were addressed as described in their letter dated April 13, 2000 (Attachment 1). The MRNPG testified at the Planning Commission hearing on December 7, 2000 identifying several remaining concerns of the planning group (Attachment 2). On July 18, 2001, the planning group reconsidered the redesigned project and voted unanimously to recommend approval, with recommended conditions, to the City Council (Attachment 3).

Environmental Impact - Addendum to Environmental Impact Report (EIR) LDR No. 92-0466 has been prepared for the project in accordance with State CEQA Guidelines. A Mitigation Monitoring and Reporting Program has been prepared and will be implemented which will reduce, to a level of insignificance, any potential impacts identified by the environmental review process for the addendum.

Fiscal Impact - None with this action.

Code Enforcement Impact - None with this action.

Housing Affordability Impact - None with this action.

BACKGROUND

The original design of the Scripps Gateway Freeway Center project was denied by the Planning Commission at the December 7, 2000 hearing. The applicant appealed the decision to the City Council. On February 13, 2001 the City Council heard the item and upheld the decision of the

Planning Commission by denying the appeal and denying the project. The applicant sued the City of San Diego, and thereafter, the parties entered into a settlement agreement which provides applicant the ability to seek reconsideration of their modified project.

The Scripps Gateway Freeway Center project site occupies 20.3 acres of the 242.1 acre, master planned project, Scripps Gateway, in the northwest portion of the Miramar Ranch North Community planning area (Attachment 4). The proposed project would be developed on approximately 18.9 net acres of a site previously mass graded in conformance with the tentative map approved for Scripps Gateway (Attachment 5). This site is identified as Lot 2 of Scripps Gateway Unit 3. The site is located north of Scripps Poway Parkway east of Interstate 15 in the CC-1-3 (CA) zone. Surrounding land uses include Interstate 15 to the west, open space to the north, single family and proposed industrial development to the south, and multi-family condominium development to the east. The site is subject to the terms and conditions of an existing Development Agreement, Doc. No. 00-17587 and Operating Memorandum to Development Agreement, Doc. 00-17587, and the Scripps Gateway PCD permit 92-0466.

The Development Agreement was adopted by the City Council on August 9, 1988, amended on September 13, 1988 and September 6, 1989, between the Wuest Estates Company and The City of San Diego. The Scripps Gateway PCD master permit 92-0466 was approved by the City Council on September 29, 1998. The proposed project is consistent with all terms and satisfied all requirements of the existing Development Agreement and the existing master permit.

DISCUSSION

Approval of the redesigned Scripps Gateway Freeway Center project would allow for a planned commercial development on a 20.3 acre site with two hotels; one four story 137 room hotel approximately 73,925 square feet and one four story 97 room hotel approximately 69,000 square feet, one gasoline station/car wash/mini mart approximately 2,948 square feet, one restaurant approximately 6,000 square feet, one 3,200 square foot drive-through restaurant, two retail spaces approximately 5,000 and 4,000 square feet, surface parking, a 120 space park and ride lot, landscaping and improvements in the public right-of-way (Attachment 6).

The revised project differs from the previous project before the City Council in many ways. A new retail building would be added to provide a gateway landmark for the community and one of the fast food restaurants has been deleted. The new building is sited in a location visually prominent to persons entering the community along Scripps Poway Parkway. The architecture of the new building is sympathetic and consistent with other commercial architectural forms found within the community. A conceptual rendering of the building has been provided for consideration (Attachment 7). All materials used in this building would be consistent with those of other structures planned for this development. The project design is consistent with the previous approval of the master planned project, Scripps Gateway (Attachment 5). Pedestrian circulation has been improved to facilitate and encourage persons to walk to and within the site by reversing the gasoline station/mini-mart and adding two new outdoor seating areas. To enhance pedestrian use of the site, the new layout for the project would place outdoor seating areas between the restaurant and new retail building and a second outdoor area with a trellis

structure on the southerly side of the new retail building. Pedestrian access to the site has also been improved by adding additional points of ingress and egress from the public right-of-way. Addressing other goals of the community plan and suggestions of the community and Planning Commission, siting of the gasoline station/car wash/mini-mart has been reversed. The new layout would place the gasoline station and mini-mart closer to Scripps Poway Parkway thereby reducing the visibility of the parking lots from the right-of-way. Bringing the buildings closer to the street would improve the street scene and strengthen the relationship of the development to public right-of-way.

Development of the site would be according to the submitted conceptual site plans, floor plans, cross-sections, and architectural elevations. If approved by the City Council, approval of site specific building plans, landscaping, sign program and site development would be controlled by these conceptual plans and the permits.

Staff has analyzed and determined the project complies with the rules, regulations, and policies applicable to the project. Based upon this analysis, the information provided in the findings support the project as proposed.

CONCLUSION

In summary, City staff is recommending approval of the redesigned Scripps Gateway Freeway Center project subject to the terms and conditions contained in Attachments 8, 9 and 10. City staff has provided the candidate findings required for the approval of the Scripps Gateway Freeway Center (Attachments 10 and 11).

ALTERNATIVE

Deny the project by presenting additional information into the record supporting the decision.

Respectfully submitted,

Tina P. Christiansen, A.I.A.
Development Services Director

Approved: George I. Loveland
Senior Deputy City Manager

CHRISTIANSEN:JSF

Attachments:

1. Community Planning Group letter, dated April 13, 2000
2. Community Planning Group letter, dated November 27, 2000

3. Community Planning Group letter, dated July 18, 2001
4. Project Location Map
5. Master Plan of Scripps Gateway
6. Revised Site Plan
7. Perspective rendering of new retail building
8. Draft PCD permit
9. Draft CUP permit
10. Draft Tentative Map Resolution
11. Draft permit resolution
12. Architectural elevations
13. Revised Tentative Map
14. Revised Landscape Concept Plan
15. Floor Plans
16. Disability Access Plan
17. Project cross sections
18. Existing Conditions/Topography
19. Sign Program
20. Project Chronology
21. Ownership Disclosure Statement